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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/073,764	02/11/2002	Mark N. Robins	10018038-1	4506

22879 7590 10/16/2007  
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INTELLECTUAL PROPERTY ADMINISTRATION  
FORT COLLINS, CO 80527-2400

EXAMINER
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NGUYEN, LUONG TRUNG

ART UNIT	PAPER NUMBER
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2622

MAIL DATE	DELIVERY MODE
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10/16/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/073,764

Applicant(s)

ROBINS ET AL.

Examiner

LUONG T. NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 24 July 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 7-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-2,7-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. The allowable of previously filed dependent claim 6, which has been canceled and the limitations of claim 6 has been incorporated in amended claim 1 as filed on 7/24/2007, has been withdrawn due to an alternative interpretation of Steinberg et al. (US 6,433,818) in view of Watanabe et al. reference (US 2002/0039479). Therefore, the Office Action as made on 4/03/2007 has been withdrawn. However, upon further consideration, a new non-final action sets forth below.

#### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2, 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Steinberg et al. (US 6,433,818) in view of Watanabe et al. (US 2002/0039479).

Regarding claim 1, Steinberg et al. discloses an image capturing device, comprising:  
a memory storing an enable state variable (memory 42 stores programming data which corresponds to enable state variable, figure 2, column 3, lines 50-67);  
a wireless receiver (receiver 30, figure 2, column 3, lines 50-60);

a processor (processor 32, figures 2, 5, column 3, lines 50-67, column 4, line 45 – column 5, line 11) configured to communicate with said memory and with said wireless receiver;

a removable media interface (card slot 16, figure 2, column 50-67) and a removable medium plugged into said removable, media interface, wherein said removable medium further comprises a removable memory medium, wherein said removable medium further comprises a removable memory medium (Smart card 20, figures 1-2, 4, column 4, lines 33-57) and wherein said removable memory medium comprises: a connector for electrically connecting to said removable media interface; and a second memory (Smart card for storing user access password, figure 4, column 4, lines 32-44) communicating with said connector and storing a second enable state variable (user access password); wherein said second enable state variable is loaded into said image capturing device and enables or disables said image capturing device (figure 4, column 4, lines 33-57).

Steinberg et al. fails to specifically disclose said processor further being configured to disable said image capturing device for image capturing device operation in response to said wireless receiver receiving said wirelessly transmitted disable command. However, Watanabe et al. teaches the wireless communication device 76 of camera 10 can receive an image-capturing condition of restricting an image-capturing process, figure 2, page 4, paragraphs [0054], [0056]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Steinberg et al. by the teaching of Watanabe et al. in order to control the use of a camera in certain specified locations where the use of the camera is restricted or prohibited.

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Regarding claim 2, Steinberg et al. discloses an input/output port capable of communicating with an external device (bus 34, 26, 38, figure 2, column 3, lines 50-67).

Regarding claim 9, Steinberg et al. discloses a temporary enable state variable that overrides said enable state variable when said temporary enable state variable is set to the disable state (column 4, line 45 – column 5, line 11).

4. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable Steinberg et al. (US 6,433,818) in view of Watanabe et al. (US 2002/0039479) further in view of Miyazawa (JP 2000-350132) and Savitzky et al. (US 6,571,271).

Regarding claim 7, Steinberg et al. and Watanabe et al. fail to specifically disclose said second memory further storing an image capture device identifier, wherein said removable memory does not enable said image capturing device unless said image capturing identifier corresponds to said image capturing device.

However, Miyazawa discloses the electronic camera 1, which is provided with an ID-ROM 21a that stores identification information specific to the electronic camera 1, an IEEE 1394 terminal T1 to which the identification information is entered, a system controller 21 that discriminates matching between the entered identification information and the identification information stored in the ID-ROM 21a and regulates reading of image data from the built-in memory 17 by the memory control circuit by the memory control circuit 16 based on the result of discrimination, figure 2, abstract). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Steinberg et al. and

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Watanabe et al. by the teaching of Miyazawa in order to provide an electronic camera that is suitable for a rental service in a closed area (abstract).

Steinberg et al., Watanabe et al. and Miyazawa do not disclose the entered identification information is stored in a removable memory. However, Savitzky et al. teaches that the camera identifier is stored in a memory card 502 (figure 5, column 4, lines 7-20). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Steinberg et al., Watanabe et al. and Miyazawa by the teaching of Savitzky et al. in order to let an user easier when using a rental camera, he or she does not have to remember the identifier of a rental camera when operating the rental camera since the identifier of the camera is stored in a removable memory card.

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Steinberg et al. (US 6,433,818) in view of Watanabe et al. (US 2002/0039479) further in view of Limsico (US 6,662,228).

Regarding claim 8, Steinberg et al. and Watanabe et al. fail to specifically disclose a dongle, with said dongle including circuitry that enables said image capturing device. However, the use of a dongle is well known in the art as taught by Limsico (column 3, lines 1-9). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Steinberg et al. and Watanabe et al. by the teaching of Limsico in order to secure a device from unauthorized access.

### ***Conclusion***

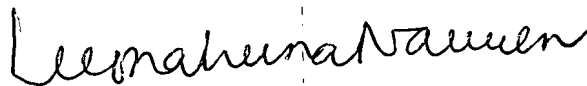
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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUONG T. NGUYEN whose telephone number is (571) 272-7315. The examiner can normally be reached on 7:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DAVID L. OMETZ can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LN  
10/14/07



LUONG T. NGUYEN  
PATENT EXAMINER